

MEMO ENDORSED

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
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W. Simone Nicholson
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December 14, 2023

VIA ECF

The Honorable Jennifer H. Rearden
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *T.L. v. N.Y.C. Dep't of Educ., et al.*, 23-6225 (JHR)(BC)

Dear Judge Rearden:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendants in the above-referenced action, wherein Plaintiffs allege violations pursuant to the Individuals with Disabilities in Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794; *et seq.*

I write jointly with Plaintiff's counsel to update the court on the status of this case and to ask the Court to extend the stay for another 30 days. Since the parties last letter, they have conferred and are very close to reaching an agreement to dismiss the action without prejudice. Plaintiff's counsel provided the undersigned with a draft stipulation of dismissal which the parties hope to finalize in the next couple of weeks (taking the holidays into account). The student is attending school and continuing to receive services. There are no pending dates or deadlines that will be affected, and a further extension of the stay will avoid motion practice.

In consideration of the preceding, Defendants request that the Court extend the stay and accordingly, Defendants' time to answer, until January 9, 2024, with either a status letter updating the Court on the parties progress towards resolution, or the stipulation of dismissal filed that same day.

Thank you for considering this submission.

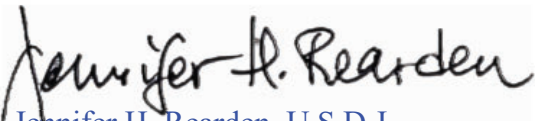
Respectfully submitted,

s/ 

W. Simone Nicholson
Special Assistant Corporation Counsel

cc: Elisa Hyman, The Law Office of Elisa Hyman, *Counsel for Plaintiff* (via ECF)
Nicolas Apter-Vidler, The Law Office of Elisa Hyman, *Counsel for Plaintiff* (via ECF)

Application GRANTED. This case has been stayed since October 18, 2023. ECF No. 29. The parties have represented they were in settlement discussions since July 2023, ECF No. 13, and have since requested several extensions for Defendants to respond to the Complaint. *See, e.g.*, ECF Nos. 20, 24, 27, 29. The parties now represent that they “are very close to reaching an agreement to dismiss the action without prejudice.” If the parties have not filed a settlement agreement or other proof of termination by **Friday, January 19, 2024**, the stay shall be lifted, and Defendants shall respond to the Complaint. The Clerk of Court is directed to terminate ECF No. 38. SO ORDERED.



Jennifer H. Rearden, U.S.D.J.
Dated: December 18, 2023